

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEHMAN BROTHERS HOLDINGS, INC.,

Plaintiff,

v.

EQUITY RESOURCES, INC.,

Defendant.

Civil Action No. 2:09-CV-735

Judge Gary L. Lancaster

ELECTRONICALLY FILED

STIPULATION FOR LEAVE TO AMEND COMPLAINT TO FACILITATE SETTLEMENT

Plaintiff and Defendant, through their undersigned counsel, in an effort to resolve the pending litigation, hereby stipulate that Plaintiff may file an Amended Complaint to facilitate final resolution of the settlement achieved in principle. This matter has been administratively closed since September 14, 2009 due to a proposed settlement following Court-ordered mediation, but one of the loans listed in the Complaint needs to be removed from the litigation in order to finalize the settlement.

Respectfully submitted,

KAHRL WUTSCHER LLP

/s/ Benjamin M. Kahrl
Benjamin M. Kahrl (#26729)
4435 Wisconsin Avenue, NW
Suite 100
Washington, DC 20016
Telephone: (202) 621-9559
Facsimile: (202) 621-9538
bkahrl@kw-llp.com


COUNSEL FOR PLAINTIFF

**STRASSBURGER McKENNA GUTNICK
& GEFSKY**

/s/ David A. Strassburger
David A. Strassburger (#14879)
Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 281-5423
Facsimile: (412) 281-8264
dstrassburger@smgglaw.com

COUNSEL FOR DEFENDANT

SO ORDERED, this 22nd day of March, 2010.

, C.J.